IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2513 OF 2005

IN

FIRST APPEAL STAMP NO. 27582 OF 2004

The Regional Director, Employees
State Insurance Corporation ..Appellant

versus

Gopalji L. Shah ..Respondent

Mr. H.V. Mehta for the Appellant.
Mr. B. H. Gada i/b. M/s. C. R. Naidu & Co. for the Respondent.

CORAM : D. G. DESHPANDE,J.

DATE : 21ST OCTOBER,2005

P.C. :

1. Heard the Counsels.

2. This is an application for condonation of delay of 163 days or 171 days. Application is opposed by the counsel for the Respondent. However, Mr. Mehta points out that in the application by the

respondent, delay had been condoned because he did not raise the objection. Apart from that Mr. Mehta replied upon judgment reported in **2005(1) UJ 648 (SC) State of Nagaland vs. Lipok AO & Ors.** and also on the judgment of the Supreme Court reproted in **AIR 1987 SC 1353 Collector, Land Acquisition, Anantnag and Anr. vs. Mst. Katiji and Ors.** where liberal view has been taken by the Supreme Court regarding condonation and it is held that sufficient cause should be considered with pragmatism in justice oriented approach than the technical deletion of sufficient cause for explaining every days delay. Therefore, looking to these two judgments, delay is condoned subject to costs of Rs.1,000/-. Cost to be paid within six weeks from today. Civil Application is allowed and disposed of.

3. Put up Appeal for admission after six weeks.

21.10.2005 (D.G. DESHPANDE, J.)

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